

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARCUS BERNARD TRIPLETT,

Plaintiff,

-vs-

Case No. 07-14861
HON. AVERN COHN

STATE FARM FIRE MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

_____ /

**ORDER DENYING PLAINTIFF'S MOTION TO COMPEL PAYMENT
OF EXPERT WITNESS FEE**

This is an action in contract. The jurisdiction of the Court is based on diversity. Plaintiff has filed a motion to compel payment of an expert witness fee for the deposition of Renee LaPorte, Ph.D., R.N., C.C.M., C.B.I.S.

For the reasons stated on the record at a hearing on January 20, 2009, the motion is denied and discovery shall move forward without prejudice to plaintiff's right to insist defendant pay the expert witness fee. In the interim, plaintiff's attorney may advance the fee. The Court cautions defendant of possible sanctions should the Court find the refusal to pay unreasonable.

SO ORDERED.

Dated: January 21, 2009

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, January 21, 2009, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160